

Minutes of Land Use, Parks and Environment Committee
Tuesday, August 21, 2012

Chair Jim Heinrich called the meeting to order at 8:30 a.m. and led the committee in the Pledge of Allegiance.

Committee Present: Supervisors Jim Heinrich (Chair), Jim Batzko, Fritz Ruf, Tom Schellinger, Peter Wolff.

Absent: Walter Kolb, Pamela Meyer.

Also Present: Legislative Policy Advisor Sarah Spaeth, Planning and Zoning Manager Jason Fruth, Park System Manager Duane Grimm, Parks and Land Use Director Dale Shaver, Programs and Projects Analyst Windy Jicha, Senior Financial Analyst Clara Daniels, Business Manager Peter Mudek, Senior Conservation Specialist Jim Rose, Financial Analyst Steve Trimborn.

Approve Minutes of July 17, 2012

Motion: Ruf moved, Wolff second, to approve the minutes of July 17, 2012 as corrected. Motion carried 5-0.

Executive Committee Report of August 20, 2012

Heinrich reported on the happenings of the August 20, 2012 County Board Executive Committee meeting which included:

- Public comment by Supervisor Brandtjen regarding the Juvenile Center
- Status report on capital projects January 1 - June 30, 2012
- Overview of National Association of Counties annual conference
- Update on Waukesha County Communications Center partnerships
- Discussion of committee meeting schedule
- Consideration of county board chair job description, roles and responsibilities
- Approval of three appointments
- Finance, Health and Human Services and Public Works Committees reports

Correspondence

- Letter from Wisconsin Department of Natural Resources (DNR) informing the county that a grant from the Knowles-Nelson Stewardship Program was tentatively awarded to support acquisition of 54-acres parcel located in the Town of Mukwonago by the Waukesha County Land Conservancy, Inc.
- Letter from Wisconsin DNR informing the county that a grant from the Knowles-Nelson Stewardship Program was tentatively awarded to support acquisition of 42-acre parcel located in the City of Muskego by the Conservation Fund.

Legislative Update

Spaeth said she attended a 911 Study Committee meeting in Madison. The committee work of the day focused on comparative studies of other states and 911 call centers staff training standards, education and turnover. Waukesha County's Director of Emergency Preparedness Richard Tuma has been asked to help prepare the committee's final report. Spaeth also attended a public hearing on a proposed DNR rule to streamline the lengthy environmental review and permit process for filling wetland parcels 10,000 square feet or smaller in size.

Future Meeting Dates

- September 18, 2012 (capital projects/regular business)
- October 2, 2012 (budget review)
- October 16, 2012 (regular business)

Ordinance 167-O-033: Defer Future Expense on Debt Repayment for Ice Arena Loan Requirements

Shaver said Waukesha County's two ice arenas were built with money the county loaned to itself. Ordinance 162-33 delayed ice arena payments to the county until 2013 or until the arenas could build a five-year cash reserve and make loan payments without exhausting cash reserves. The ice arenas currently generate enough revenue to cover operating costs and deposits to the cash reserves but not enough to cover loan payments or capital improvements. This ordinance changes the payment date from 2013 to 2020 while retaining the other provisions. The arenas have made strides in building substantial cash reserves but anticipated repairs need to be taken into consideration. A careful balance is kept as county policy dictates that arena operations are not to be funded with tax levy.

Motion: Ruf moved, Batzko second, to approve Ordinance 167-O-033.

Heinrich asked will the arenas ever pay back the loans? Would it be possible to make payments toward the principal? Shaver said there is a likelihood it could be done. Funds have been used to promote programs and increase revenues at the arenas. Heinrich asked would it be possible to reduce principal payments? Shaver said the loan would have been refinanced had it been secured from an outside lender. The county board has been good about giving the arenas leeway to make improvements. Upcoming ceiling repairs at Nagawaukee could be increased from paint to an insulated roof system which would reduce energy use and provide return on investment. A good programming plan is needed so the arenas are used day and night to generate maximum revenue. Heinrich asked what are the life expectancies on the buildings? Are major repairs and upgrades anticipated? Shaver said the buildings were built very sturdy.

Motion carried 5-0.

Ordinance 167-O-034: Authorize Amendments to a Contract Between Waukesha County and Johnson Sand & Gravel, Inc. (JSG), and a Three-Way Mining and Storm Water Practice Maintenance Agreement between Waukesha County, JSG, and Wolf Construction, Inc.

Motion: Ruf moved, Wolff second, to approve Ordinance 167-O-034.

Shaver provided background on the Waukesha County gravel pit and compost site located in the Town of Genesee. Several changes in state legislation forced Waukesha County to change how it conducted business. In 1993, a state law went into effect banning yard waste from landfills and in 2001 a state administrative rule was approved making reclamation plans at nonmetallic mining sites mandatory. The county developed a ten-year reclamation plan for the nonmetallic mining site in the Town of Genesee which included mapping topographical elements, a road, and future parcels according to current zoning (light manufacturing). Approximately ten years ago, JSG won a bid to mine materials at the site and later reclaim the site. To provide future top soil needs for the site, the county developed and bid out a program to compost yard waste delivered by municipalities. The compost was mixed with onsite sand to make great top soil and saved the county from having to purchase topsoil at an estimated cost of \$400K. (The innovative process was recognized nationally and statewide.) Once the contract with JSG was in place, mining was delayed two years until the necessary permits were secured. The current depressed economy slowed the demand for outgoing product. The current contract is set to expire with two years of work left to be completed.

Shaver reviewed the ordinance outlining the contractual obligations, requirements and amendments between JSG, Wolf Construction Co. Inc, and Waukesha County. Shaver explained the ordinance extends the existing

gravel contract with Johnson Sand and Gravel up to ten more years for the mining of sand and gravel on county property. Under the terms of the extended agreement, JSG will continue to pay the county annual royalties of \$39,600 until 2013. After 2013, the fee will be reduced to \$30,000 annually until stockpiles of mined materials are removed from county property with a proportionate reduction for partial operations in the last year. At the end of the contract, the county will have a marketable property to sell that has been mined and properly reclaimed and graded and ready for light industrial use.

Heinrich asked were the neighbors informed? Shaver said county staff met with neighbors and gave them a tour of the area. The county went through the Town of Genesee to get an extension of a conditional use permit. A public hearing was set up and is currently open for comments. Other companies are also graveling in the area. The county has received eight complaints in ten years about smell (Pewaukee Lake weeds were not processed in a timely fashion) and projectiles from grinders (this complaint was unfounded because of the substantial distance between grinders and neighbors).

Heinrich asked is a minimum depth of fabricated topsoil required? Shaver said the county will do an onsite topographical survey to make sure the property is laid out accordingly.

Motion carried 5-0.

Resolution 167-R-002: Amend the Regional Water Quality Management Plan for the City of New Berlin, Waukesha County, Wisconsin

Fruth reviewed the resolution. Future use of an eight-acre property located at 19300 W. Lincoln Avenue would be light industrial park, which is common in this mixed-use setting and features a woodland/wetland buffer for nearby residential properties. This property used to be a sod farm and has wet, hydric soil conditions. The county does not usually recommend developing on hydric soils but under the City of New Berlin comprehensive plan, the developable land has been set aside for business park/industrial uses.

The second property is a four-acre parcel located at 16515 W. Beloit Road and an extension of the Westbridge Industrial Park. The parcel is a logical expansion of the light industrial area, does not include any areas identified as environmental corridors or isolated natural resources areas, is compliant with the City of New Berlin's land use plan, and will add negligible and manageable flow to the Milwaukee Metropolitan Sewerage District.

Motion: Wolff moved, Ruf second, to approve Resolution 167-O-002.

Heinrich asked why did Supervisor and Park and Planning Commission Member Patricia Haukohl vote against this water quality management plan amendment at a Park and Planning Commission meeting? Fruth said Haukohl had concerns about protecting high ground water and hydric soils. It is challenging to have a septic system installed on parcels with high water levels. Fortunately, this lot will be serviced by the city's sewer and water systems so this is not an issue.

Motion carried 5-0.

Overview of County Comprehensive Plan

Fruth gave an overview of Waukesha County's Comprehensive Plan, a blue print for future county development, including history of national and local comprehensive planning; plan definition, contents and

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vision; required elements; explanation of land use versus zoning plans; extra-territorial plan mapping examples; historical trends; employment trends; key recommendations, outcomes and issues; plans within plans; farmland preservation areas; current planning issues, etc.

Wolff left the meeting at 9:57 a.m.

Heinrich asked why are Southeastern Wisconsin Regional Planning Commission's (SEWRPC) plans dated 2035? Fruth said SEWRPC provides a long-term vision of land use to the year 2035. Waukesha County updates its comprehensive plan every ten years and strives to plan for the future. Many people involved in land use are interested to see how this economic turn down affects development and farmland preservation.

Motion: Ruf moved, Batzko second, to adjourn the meeting at 10:14 a.m. Motion carried 4-0.

Respectfully submitted,

Pamela Meyer
Secretary